UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,200	09/16/2003	Kehsing J. Chou	SVL920030068US1	3889

46159   7590   06/30/2008

SUGHRUE MION PLLC
USPTO CUSTOMER NO WITH IBM/SVL
2100 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20037

EXAMINER
LY, CHEYNE D

ART UNIT	PAPER NUMBER
2168	

MAIL DATE	DELIVERY MODE
06/30/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *27 February 2008*.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-28,31 and 32* is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-28, 31, and 32* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a) ☐ All   b) ☐ Some * c) ☐ None of:
　　　1. ☐ Certified copies of the priority documents have been received.
　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.
　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Applicants' arguments filed February 27, 2008 have been fully considered but they are

not deemed to be persuasive. Rejections and/or objections not reiterated from previous office

actions are hereby withdrawn. The following rejections and/or objections are either

reiterated or newly applied. They constitute the complete set presently being applied to the

instant application.

2.   Claims 1-28, 31, and 32 are examined on the merits.

REMARKS

3.   On pages 3-4, Applicant argues neither Chang nor Chou disclose creating the persistent

folder which has the ability to save a federated search result. Applicant's argument is not

persuasive because Chang in view of Chou renders the claimed invention obvious over the

cited prior art. For example, Chang describes query results are returned in the form of a

Collection 1 of objects, e.g. Results 6 (FIG. 1). For federated queries 19, the result is

returned in a federated collection 8, that is a nested collection of results of each query's

components (page 4, [0067]). As shown in FIG. 6, the result of a query is a collection 1 of

objects containing Dynamic Data Objects (DDOs) 28 inside. A DDO 28 has attributes, with

type, value, and properties. The value of an attribute can be a reference to another DDO 28 or

XDO 22, or a collection of DDOs 28 or XDO 22s, thus it may form a tree structure. This

structure is quite general and flexible enough to represent folder and document data models

in DL, as well as an object-oriented view of relational databases (page 5, [0077]). Depending

on the query, each element in the resulting collection 1 can be a combination of documents,

documents with parts, folders, or folders containing other folders and documents (page 5,

[0080]). The above citation supports that Chang describes the creation of folders comprising a federated collection of query results which reasonably describes the federated folder has the ability to save a federated search results. Further, Chang describes DataObject 31 has a Pid-_ _persistent object identifier. Pid identifies the location of the persistent data of this data object in the datastore. If the Pid is not set, it will be created automatically after the first data manipulation operation. DataObject 31 inherits protocol from its parent DataObjectBase 20, and supports the DDO, PO, and PDDO protocols (page 12, [0165]). The disclosure reasonably supports that the objects such as DDO within the folders cited in Figure 6 have Pid_--persistent object identifiers. However, Change does not explicitly describe the federated folders as being persistent. Chou in the other hand describes a federated collection is a collection…created to hold the results of DKFederatedQuery (column 106, lines 31-33). DKFolder is a subclass to hold a collection of document DDO and folder DDO (column 113, lines 31-33). Lastly, Chou describes making a member such as DDO persistent in a folder (column 114, lines 14-15). One of ordinary skill in the art at the time of the invention would have been motivate by Chou to address the need in the art by providing multi-searching and updating capabilities across a combination of heterogeneous datastores such as DB2 and providing a flexible mechanism which can employ a combination of different types of search engines selectable by users as described by Chang. Therefore, it would have been obvious to one of ordinary skill in the art to improve the method of Chang by making folders comprising DDOes of Chang persistent as described by Chou.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

5. (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-28, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (US 2002/0026443 A1) (Chang hereafter) in view of Chou et al. (US 6,370,541B1) (Chou hereafter).

MOTIVATION TO COMBINE

8. Chang describes an invention to provide multi-searching and updating capabilities across a combination of heterogeneous datastores such as DB2 (page 2, column 2, [0025]) and

provide a flexible mechanism which can employ a combination of different types of search

engines selectable by users (page 2, column 1, [0019] and [0020]). While, Chou describes

there is a need in the art for an improved client/server framework for federated multi-search

and update across heterogeneous datastores (column 4, lines 8-12) as directed to DB2

(column 5, lines 59-67). One of ordinary skill in the art at the time of the invention would

have been motivate by Chou to address the need in the art by providing multi-searching and

updating capabilities across a combination of heterogeneous datastores such as DB2 and

providing a flexible mechanism which can employ a combination of different types of search

engines selectable by users as described by Chang.

PRIOR ART

9. In regard to claim 1, Chang discloses a processor-implemented method of managing a

persistent folder within a federated content management system that includes a plurality of

local federated datastores, the method comprising:

10. Creating the persistent (page 12, [0169], especially lines 5-7 of the cited paragraph)

folder on a local federated datastore within the federated content management system (page

6, [0087]-[0090], and pages 7-8, [0099]-[0107]);

11. Mapping the persistent folder includes a virtual entity a plurality of entities in the local

federated datastores (page 2, [0027] and page 12, [0169], especially, "maps each individual

persistent data items to its underlying representation in the datastore", and page 24, [0465],

especially, "manages a virtual collection of DDOs 28").

12. Updating (page 2, [0019]) the persistent federated folder by modifying a members list,
and updating attributes of the persistent folder (page 6, [0088]-[0090]. It is noted that the
cited methods of addMember and removeMember inherently modifies a members list.

13. Deleting the persistent folder (page 14, [0232]). It is noted that Chang discloses the
federated folder cited above as a type of "object." Therefore, the above citation of "the add,
del, and update operations only affect the object in the persistent store" supports that
"deleting the persistent federated folder" is inherent disclosed in the cited method.

14. However, Chang does not describe the limitation of "federated folder…wherein the
persistent federated folder has the ability to save a federated searcher result…" Chou
describes the claimed federated folder (column 106, lines 15-55, e.g.
DKFederatedCollection, and column 113, line 29, to column 114, last line) exemplified by
the instant specification.

15. Therefore, it would have been obvious to one of ordinary skill in the art to make and use
the system of Chang and Chou address the need in the art by providing multi-searching and
updating capabilities across a combination of heterogeneous datastores such as DB2 and
providing a flexible mechanism which can employ a combination of different types of search
engines selectable by users.

16. In regard to claim 2, Chang in view of CHOU discloses modifying the members list
comprises adding at least one new member (page 6, [0088]). Therefore, it would have been
obvious to one of ordinary skill in the art to modify the disclosure of Chang to utilize the new
release of Content Manager Version 8.2 comprising federated folders to provide multi-

searching and updating capabilities across a combination of heterogeneous datastores such as

DB2.

17. In regard to claim 3, Chang in view of CHOU discloses modifying the members list

comprises removing at least one member (page 6, [0090]). Therefore, it would have been

obvious to one of ordinary skill in the art to modify the disclosure of Chang to utilize the new

release of Content Manager Version 8.2 comprising federated folders to provide multi-

searching and updating capabilities across a combination of heterogeneous datastores such as

DB2.

18. In regard to claim 4, Chang in view of CHOU discloses selecting items in the plurality of

entities as a result of a search (page 5, [0077]). Therefore, it would have been obvious to one

of ordinary skill in the art to modify the disclosure of Chang to utilize the new release of

Content Manager Version 8.2 comprising federated folders to provide multi-searching and

updating capabilities across a combination of heterogeneous datastores such as DB2.

19. In regard to claim 5, Chang in view of CHOU discloses a user selecting items in the

plurality of entities (page 5, [0072] and [0078]). Therefore, it would have been obvious to

one of ordinary skill in the art to modify the disclosure of Chang to utilize the new release of

Content Manager Version 8.2 comprising federated folders to provide multi-searching and

updating capabilities across a combination of heterogeneous datastores such as DB2.

20. In regard to claim 6, Chang in view of CHOU discloses an application selecting items in

the plurality of entities (page 5, [0076]). Therefore, it would have been obvious to one of

ordinary skill in the art to modify the disclosure of Chang to utilize the new release of

Content Manager Version 8.2 comprising federated folders to provide multi-searching and

updating capabilities across a combination of heterogeneous datastores such as DB2.

21. In regard to claim 7, Chang in view of CHOU discloses saving (pages 11-12, [0164]-

[0165], especially the "set Pid(Pid aPid) method) a persistent identifier reference (page 5,

[0080], ItemId in the disclosed table) in the persistent federated folder for each of the items

in the entities selected as a result of the search (page 5, [0077]). Therefore, it would have

been obvious to one of ordinary skill in the art to modify the disclosure of Chang to utilize

the new release of Content Manager Version 8.2 comprising federated folders to provide

multi-searching and updating capabilities across a combination of heterogeneous datastores

such as DB2.

22. In regard to claim 8, Chang in view of CHOU discloses saving (pages 11-12, [0164]-

[0165], especially the "set Pid(Pid aPid) method) a persistent identifier reference (page 5,

[0080], ItemId in the disclosed table) in the persistent federated folder for each of the items

in the entities selected as a result of the user (page 5, [0072] and [0078]). Therefore, it would

have been obvious to one of ordinary skill in the art to modify the disclosure of Chang to

utilize the new release of Content Manager Version 8.2 comprising federated folders to

provide multi-searching and updating capabilities across a combination of heterogeneous

datastores such as DB2.

23. In regard to claim 9, Chang in view of CHOU discloses saving (pages 11-12, [0164]-

[0165], especially the "set Pid(Pid aPid)" method) a persistent identifier reference (page 5,

[0080], ItemId in the disclosed table) in the persistent federated folder for each of the items

in the entities selected as a result of the user (page 5, [0076]). Therefore, it would have been

obvious to one of ordinary skill in the art to modify the disclosure of Chang to utilize the new release of Content Manager Version 8.2 comprising federated folders to provide multi-searching and updating capabilities across a combination of heterogeneous datastores such as DB2.

24. In regard to claim 10, Chang in view of CHOU discloses deleting the persistent federated folder does not delete items referenced in the persistent federated folder (page 14, [0232]). It is noted that Chang discloses the federated folder cited above as a type of "object" (page 6, [0081]). The objects reference the entities (page 5, [0080]) in the digital library (DL) (page 1, [0012]-[0013]). Therefore, the above citation of "the add, del, and update operations only affect the object in the persistent store; they do not change the copy in main memory" supports that "deleting the persistent federated folder delete items referenced in the persistent federated folder" is inherent disclosed in the cited method. Therefore, it would have been obvious to one of ordinary skill in the art to modify the disclosure of Chang to utilize the new release of Content Manager Version 8.2 comprising federated folders to provide multi-searching and updating capabilities across a combination of heterogeneous datastores such as DB2.

25. In regard to claim 11, Chang in view of CHOU discloses the persistent federated folder contains at least one persistent federated folder (page 5, [0080]). Therefore, it would have been obvious to one of ordinary skill in the art to modify the disclosure of Chang to utilize the new release of Content Manager Version 8.2 comprising federated folders to provide multi-searching and updating capabilities across a combination of heterogeneous datastores such as DB2.

26. In regard to claim 12, Chang in view of CHOU discloses the persistent federated folder contains members from entities originating from heterogenous datastores (Abstract etc. and page 2, [0019]). Therefore, it would have been obvious to one of ordinary skill in the art to modify the disclosure of Chang to utilize the new release of Content Manager Version 8.2 comprising federated folders to provide multi-searching and updating capabilities across a combination of heterogeneous datastores such as DB2.

27. In regard to claim 13, Chang in view of CHOU discloses the persistent federated folder contains members from an entity of the persistent federated folder (page 5, [0077] and [0080]). Therefore, it would have been obvious to one of ordinary skill in the art to modify the disclosure of Chang to utilize the new release of Content Manager Version 8.2 comprising federated folders to provide multi-searching and updating capabilities across a combination of heterogeneous datastores such as DB2.

28. In regard to claim 14, Chang in view of CHOU discloses the persistent federated folder integrates seamlessly within the federated content management system allowing a federated query to operate transparently (page 2, [0015]) with respect to a client (page 2, [0020]-[0027]). Therefore, it would have been obvious to one of ordinary skill in the art to modify the disclosure of Chang to utilize the new release of Content Manager Version 8.2 comprising federated folders to provide multi-searching and updating capabilities across a combination of heterogeneous datastores such as DB2.

29. In regard to claim 15, Chang in view of CHOU disclose the persistent federated folder system limits access rights of users according to users' general privileges (page 18, [0318]-[0319]). Therefore, it would have been obvious to one of ordinary skill in the art to modify

the disclosure of Chang to utilize the new release of Content Manager Version 8.2

comprising federated folders to provide multi-searching and updating capabilities across a

combination of heterogeneous datastores such as DB2.

30. In regard to claim 16, Chang in view of CHOU discloses providing administrative

support for creating, mapping, and administering the persistent federated folder (page 27,

[0519], to page 33, [0676], especially the Supporting classes beginning at [0522]).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the

disclosure of Chang to utilize the new release of Content Manager Version 8.2 comprising

federated folders to provide multi-searching and updating capabilities across a combination

of heterogeneous datastores such as DB2.

31. In regard to claims 17-28, Chang in view of CHOU discloses the above-cited method has

been implemented in a computer program product and system (page 3, [0039], to page 4,

[0061]). Specific to claims 24-28, the recitation of "mean for…" has been interpreted as

Applicant's attempt to invoke 35 U.S.C. 112, sixth paragraph. However, the instant

disclosure does not specifically define the structures necessary for each "means for…"

limitation. Therefore, the system cited above has been interpreted as comprising the

respective "means for" limitations as exemplified by the instant specification (page 13,

[0046], to page 17, [0060]).

32. In regard to claims 31 and 32, Chang in view of CHOU describes the federated folder is

defined using a query expression executable in the federated datastore (page 24, [0465],

especially, "manages a virtual collection of DDOs 28. The collection is a result set of a query

submitted to the datastore. Each element of the collection does not materialize until a

datastore fetch operation is executed"). Therefore, it would have been obvious to one of ordinary skill in the art to modify the disclosure of Chang to utilize the new release of Content Manager Version 8.2 comprising federated folders to provide multi-searching and updating capabilities across a combination of heterogeneous datastores such as DB2.

33. **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

34. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

35. Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants

of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to

confirm that the problem has been corrected. The USPTO's Patent Electronic Business

Center is a complete service center supporting all patent business on the Internet. The

USPTO's PAIR system provides Internet-based access to patent application status and history

information. It also enables applicants to view the scanned images of their own application

file folder(s) as well as general patent information available to the public.

36. For all other customer support, please call the USPTO Call Center (UCC) at 800-786-

9199. The USPTO's official fax number is 571-272-8300.

37. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to C. Dune Ly, whose telephone number is (571) 272-0716. The

examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.

38. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tim Vo, can be reached on (571)272-3642.

/Cheyne D Ly/
Primary Examiner, Art Unit 2168

Application Number	Application/Control No.	Applicant(s)/Patent under Reexamination
	10/664,200	CHOU ET AL.
	Examiner	**Art Unit**	
	CHEYNE D. LY	2168	